

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CRIMINAL JURISDICTION

**CRIMINAL APPLICATION NO.6114 OF 2005**

**IN**

**CRIMINAL APPEAL NO.\_\_\_\_\_ OF 2005**

The State of Maharashtra ).. Applicant/  
Appellant

Versus

Gajanan Nago Dabare and others ).. Respondents

Smt.V.R.Bhosale, Additional Public Prosecutor, for  
the Applicant.

Mrs.V.R.Raje, Advocate, for the Respondents.

**CORAM : V.G.PALSHIKAR, Acg.C.J. &  
SMT. NISHITA MHATRE, J.**

**DATED : 8TH SEPTEMBER 2006**

**P.C.:**

. This application is directed against the order of acquittal passed in Sessions Case No.19 of 2003 by the learned Sessions Judge, Raigad-Alibag acquitting the accused. He has observed after appreciating the evidence on record that the evidence of the eye witnesses lack credibility and there existed material contradictions in the evidence. Taking into consideration the contradictions, omissions and improvements, the learned Judge was of the view that it is not a proper case to record conviction. He, therefore, acquitted the accused. The reasoning given by the learned Judge is correct. It is borne by the evidence on record. Hence, no interference is called for. Leave refused.